

AMENDED IN ASSEMBLY APRIL 13, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1115**

**Introduced by Assembly Member Yee**

February 22, 2005

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An act to add Article 3 (commencing with Section 4950) to Chapter 12 of Division 2 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1115, as amended, Yee. Acupuncture assistants.

Existing law provides for the licensure and regulation of acupuncturists by the Acupuncture Board.

This bill would define the term "acupuncture assistant" and ~~set forth the scope of services that an acupuncture assistant is authorized to perform. The bill would require the board to adopt and administer regulations establishing standards for acupuncture supportive services that may be performed by an acupuncture assistant~~ *would specify that an acupuncture assistant may perform administrative, clerical, and supportive services under the supervision of a licensed acupuncturist. The bill would prohibit an acupuncture assistant from performing acupuncture.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Article 3 (commencing with Section 4950) is
- 2 added to Chapter 12 of Division 2 of the Business and
- 3 Professions Code, to read:

## Article 3. Acupuncture Assistants

~~4950. As used in this chapter, the following terms have the following meanings:~~

~~(a) “Acupuncture~~

~~4950. For purposes of this chapter, “acupuncture assistant” means a person who may be unlicensed is not licensed to perform acupuncture, who performs basic administrative, clerical, and acupuncture supportive services in compliance with this article for a licensed acupuncturist or acupuncture corporation, who is at least 18 years of age, and who has had at least the minimum amount of hours of appropriate training pursuant to standards established by the board. The acupuncture assistant shall be issued a certificate by the training institution or instructor indicating satisfactory completion of the required training. A copy of the certificate shall be retained as a record by each employer of the acupuncture assistant.~~

~~(b) “Acupuncture supportive services” means simple routine acupuncture tasks and procedures that may be safely performed by an acupuncture assistant who has limited training and who functions under the supervision of a licensed acupuncturist.~~

~~(c) “Supervision” means the supervision of procedures authorized by this article by a licensed acupuncturist within the scope of his or her practice, who shall be physically present in the treatment facility during the performance of those procedures.~~

~~4951. Notwithstanding any other provision of law, an acupuncture assistant may perform acupuncture administrative, clerical, and supportive services under the supervision of a licensed acupuncturist. An acupuncture assistant may not perform acupuncture, as defined in this chapter.~~

~~4952. The board shall adopt and administer regulations that establish standards for acupuncture supportive services that may be performed by an acupuncture assistant.~~

~~4953~~4952. A supervising acupuncturist or acupuncture corporation may provide written instructions to be followed by an acupuncture assistant in the performance of tasks or acupuncture supportive services.

~~4954. Nothing in this article shall be construed as authorizing the licensure of acupuncture assistants. Nothing in this article~~

1 ~~shall be construed as authorizing the board to adopt any~~  
2 ~~regulations that violate the prohibitions on diagnosis or treatment~~  
3 ~~in Section 2052.~~

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